

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

RAUL A. DAVILA,  
Plaintiff

v.

UTGR, INC. d/b/a TWIN RIVER, Alias, and  
TWIN RIVER MANAGEMENT GROUP, INC.,  
Alias,  
Defendants

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C.A. No. 18-

**NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1446, Defendants, UTGR, Inc. d/b/a Twin River, and Twin River Management Group, Inc. (“Defendants”), hereby file their Notice of Removal of the above-captioned action from the Superior Court of the State of Rhode Island, County of Providence, to the United States District Court for the District of Rhode Island.

In support of the instant Notice of Removal, Defendants state as follows:

1. Attached as **Exhibit A** is a copy of all process, proceedings and orders served upon Defendants on December 21, 2018, commencing the action in the Superior Court of the State of Rhode Island, County of Providence, Case No. PC 2018-7618 (the “Action”).

2. Defendants have not served any responsive pleadings to the Complaint and no orders have been issued in the Action.

3. In accordance with the requirements of 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days of the above-referenced service of process.

4. Plaintiff in this Action has sought relief pursuant to, *inter alia*, the Family and Medical Leave Act, 29 U.S.C. § 2601 *et seq.* (“FMLA”), and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 *et seq.* (“ADA”), and Plaintiff’s other claims are so related to the

federal statutory claims that they form part of the same case or controversy under Article III of the United States Constitution.

5. Based on the above-referenced federal claims, the Action is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331 and supplemental jurisdiction pursuant to 28 U.S.C. § 1367, and is one which may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441.

6. Pursuant to 28 U.S.C. § 1446(d), Defendants will promptly file a copy of this Notice of Removal with the Clerk of the Superior Court of the State of Rhode Island, County of Providence, and will serve a copy of the same on counsel for Plaintiff.

7. In accordance with Local Rule 81, Defendants will ensure that the state court record is promptly filed with this Court.

Dated: December 28, 2018

Defendants,  
UTGR, INC. d/b/a TWIN RIVER and  
TWIN RIVER MANAGEMENT GROUP, INC.  
By their attorney,

/s/ Michael D. Chittick

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the within Notice of Removal was sent to the following counsel of record for Plaintiff by email and first class mail, postage prepaid, on this 28th day of December, 2018.

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/s/ Michael D. Chittick